

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS M. PATE,  
Petitioner,

v.

SUPERIOR COURT OF WASHINGTON,  
Respondents.

Case No. [19-cv-02979-KAW](#) (PR)

ORDER OF TRANSFER

Petitioner, who appears to be a pretrial-detainee at Skagit County Justice Center (“SCJC”) in Mount Vernon, Washington, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, alleging his right to a speedy trial was violated and that his attorney failed to move to suppress evidence from an illegal search.

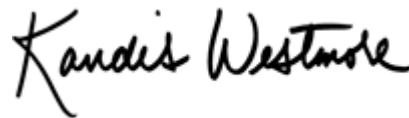
Where a petitioner is incarcerated in one state and files a § 2241 petition in a federal district court in another state, the federal district court lacks jurisdiction over his custodian to effect process or enforce its orders and must accordingly transfer or dismiss the petition. *Hassain v. Johnson*, 790 F.2d 1420, 1420 (9th Cir. 1986) (no jurisdiction in California to address petition where inmate incarcerated in Arizona).

Because this Court lacks jurisdiction over this case it must be dismissed or transferred. In the interests of justice, this case is transferred to the United States District Court for the Western District of Washington.

All remaining motions are TERMINATED on this Court’s docket as no longer pending in this Court.

**IT IS SO ORDERED.**

Dated: July 17, 2019



KANDIS A. WESTMORE  
UNITED STATES MAGISTRATE JUDGE